

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action
	)	No. 09-10017-GAO
	)	
TAREK MEHANNA,	)	
	)	
Defendant.	)	
	)	

BEFORE THE HONORABLE GEORGE A. O'TOOLE, JR.  
UNITED STATES DISTRICT JUDGE

DAY THIRTY-SEVEN  
JURY TRIAL

John J. Moakley United States Courthouse  
Courtroom No. 9  
One Courthouse Way  
Boston, Massachusetts 02210  
Tuesday, December 20, 2011  
9:20 a.m.

Marcia G. Patrisso, RMR, CRR  
Official Court Reporter  
John J. Moakley U.S. Courthouse  
One Courthouse Way, Room 3510  
Boston, Massachusetts 02210  
(617) 737-8728

Mechanical Steno - Computer-Aided Transcript

## 1 APPEARANCES:

2 OFFICE OF THE UNITED STATES ATTORNEY

By: Alope Chakravarty, Assistant U.S. Attorney

3 John Joseph Moakley Federal Courthouse

Suite 9200

4 Boston, Massachusetts 02210

- and -

5 UNITED STATES DEPARTMENT OF JUSTICE

By: Jeffrey D. Groharing, Trial Attorney

6 National Security Division

950 Pennsylvania Avenue, NW

7 Washington, D.C. 20530

On Behalf of the Government

8 CARNEY &amp; BASSIL

9 By: J.W. Carney, Jr., Esq.

Janice Bassil, Esq.

10 John E. Oh, Esq.

20 Park Plaza

11 Suite 1405

Boston, Massachusetts 02216

12 - and -

LAW OFFICE OF SEJAL H. PATEL, LLC

13 By: Sejal H. Patel, Esq.

101 Tremont Street

14 Suite 800

Boston, Massachusetts 02108

15 On Behalf of the Defendant

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1 (The following proceedings were held in open court  
2 before the Honorable George A. O'Toole, Jr., United States  
3 District Judge, United States District Court, District of  
4 Massachusetts, at the John J. Moakley United States Courthouse,  
5 One Courthouse Way, Boston, Massachusetts, on December 20,  
6 2011.

7 The defendant, Tarek Mehanna, is present with counsel.  
8 Assistant U.S. Attorney Aloke Chakravarty is present, along  
9 with Jeffrey D. Groharing, Trial Attorney, U.S. Department of  
10 Justice, National Security Division.)

11 THE CLERK: All rise for the Court and the jury.

12 (The Court and jury enter the courtroom at 9:20 a.m.)

13 THE CLERK: Be seated.

14 THE COURT: Good morning, jurors.

15 THE JURORS: Good morning.

16 THE COURT: Let me look at you all and make sure  
17 you're all here. You are. And I again ask you if you've all  
18 abided by my instruction to avoid any discussion of the matters  
19 of the case outside of the jury room. Have you all done that?  
00:03 20 Okay. The jurors all indicate affirmatively.

21 Well, jurors, it's time to get back to work. We  
22 appreciate your service, and we ask you to continue your  
23 deliberations.

24 So we'll be in recess.

25 THE CLERK: All rise for the Court and the jury.

1 The Court will be in recess.

2 (The Court and jury exit the courtroom and there is a  
3 recess in the proceedings at 9:21 a.m.)

4 (After the recess:)

5 THE CLERK: May I have your attention. We are about  
6 to receive the verdict of the jury. We ask you to respect the  
7 jury. There are to be no verbal or other demonstrations of  
8 either approval or disapproval of the verdict within the  
9 courtroom during the proceedings. The court security officers  
01:48 10 will enforce this rule.

11 Thank you for your cooperation.

12 (Pause.)

13 THE CLERK: All rise for the Court and the jury.

14 (The Court and jury enter the courtroom at 11:08 a.m.)

15 THE CLERK: Will the jurors remain standing. Will the  
16 defendant remain standing. Everyone else be seated.

17 Mr. Foreperson, has the jury agreed upon a verdict?

18 THE FOREPERSON: Yes, we have.

19 THE CLERK: May I have the form, please? Thank you.

01:51 20 (The Court reviews the verdict form.)

21 THE COURT: You may announce the verdict.

22 THE CLERK: Okay. In Criminal Action 09-10017, United  
23 States of America versus Tarek Mehanna. With respect to Count  
24 1 on the jury verdict form, as to Count 1 of the second  
25 superseding indictment charging the defendant, Tarek Mehanna,

1 with conspiracy to provide material support or resources to a  
2 designated foreign terrorist organization in violation of 18  
3 U.S.C. 2339B, we, the jury, find the defendant guilty.

4 Count 2: As to Count 2 of the second superseding  
5 indictment charging the defendant, Tarek Mehanna, with  
6 conspiracy to provide material support to terrorists in  
7 violation of 18 U.S.C. Section 2339A, we, the jury, find the  
8 defendant guilty.

9 Count 3: As to Count 3 of the second superseding  
01:52 10 indictment charging the defendant, Tarek Mehanna, with  
11 providing and attempting to provide material support to  
12 terrorists in violation of 18 U.S.C. Section 2339A, we, the  
13 jury, find the defendant guilty.

14 Count 4: As to Count 4 of the second superseding  
15 indictment charging the defendant, Tarek Mehanna, with  
16 conspiracy to kill in a foreign country in violation of 18  
17 U.S.C. Section 956, we, the jury, find the defendant guilty.

18 Count 5: As to Count 5 of the second superseding  
19 indictment charging the defendant, Tarek Mehanna, with  
01:53 20 conspiracy to make false statements in violation of 18 U.S.C.  
21 Section 371, we, the jury, find the defendant guilty.

22 As to Count 6 of the second superseding indictment  
23 charging the defendant, Tarek Mehanna, with making false  
24 statements in violation of 18 U.S.C. Section 1001, we, the  
25 jury, find the defendant guilty.

1           If you find the defendant guilty on Count 6, please  
2     answer yes or no as to whether the jury unanimously finds that  
3     the government has proven beyond a reasonable doubt that the  
4     defendant made these false statements during an investigation  
5     involving international terrorism: Yes.

6           Mr. Foreperson, is that your verdict?

7           THE COURT: Wait a second. You have Count 7. Count  
8     7.

9           THE CLERK: My apologies.

01:54 10          As to Count 7 of the second superseding indictment  
11     charging Tarek Mehanna with making false statements in  
12     violation of 18 U.S.C. Section 1001, we, the jury, find the  
13     defendant guilty.

14          If you find the defendant guilty on Count 7, please  
15     answer yes or no as to whether the jury unanimously finds that  
16     the government has proven beyond a reasonable doubt that the  
17     defendant made these false statements during an investigation  
18     involving international terrorism: Yes.

19          Mr. Foreperson, is that your verdict?

01:54 20          THE FOREPERSON: Yes.

21          THE CLERK: And so say you all?

22          THE JURORS: Yes.

23          THE COURT: All right. You may be seated. Not the  
24     jury. The defendant may be seated.

25          Jurors, with your verdict in the case your service as

1 jurors is at an end. We thank you for your service. We know  
2 how extraordinary it has been. We appreciate the difficulty of  
3 the issues presented to you and the care with which you have  
4 addressed them.

5 As your service is now at an end, you are discharged  
6 as jurors and you may go. If you go in to the back room, I'll  
7 be in in just a few minutes to say an informal good-bye to you  
8 before you go on your way, all right?

9 We'll excuse the jury.

01:55 10 THE CLERK: All rise for the jury.

11 (The jury exits the courtroom at 11:13 a.m.)

12 THE COURT: I simply want to set a date for  
13 sentencing. We've looked at the calendar. I think we'll need  
14 some time for this. The date we suggest is Thursday, April  
15 12th, at 2 p.m.

16 THE CLERK: At 2 p.m.

17 MR. CARNEY: May I have one minute, your Honor,  
18 please?

19 (Pause.)

01:56 20 MR. CARNEY: April 12 at 2 p.m.?

21 THE COURT: Yes.

22 MR. CARNEY: That's fine.

23 THE COURT: Is that fine for the government?

24 MR. CHAKRAVARTY: Yes.

25 THE COURT: All right. Let me just thank counsel for

1 a very professionally presented case. Thank you.

2 We'll be in recess.

3 THE CLERK: Court will be in recess.

4 (The Court exits the courtroom and the proceedings  
5 adjourned at 11:15 a.m.)

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## C E R T I F I C A T E

I, Marcia G. Patrisso, RMR, CRR, Official Reporter of the United States District Court, do hereby certify that the foregoing transcript constitutes, to the best of my skill and ability, a true and accurate transcription of my stenotype notes taken in the matter of Criminal Action No. 09-10017-GAO-1, United States of America v. Tarek Mehanna.

/s/ Marcia G. Patrisso  
MARCIA G. PATRISSE, RMR, CRR  
Official Court Reporter

Date: December 20, 2011